

APPEAL NO. 031729  
FILED AUGUST 18, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 4, 2003. The hearing officer resolved the disputed issues by deciding that the respondent's (claimant) compensable injury of \_\_\_\_\_, includes right cubital tunnel syndrome, but does not include complex regional pain syndrome or tardy ulnar nerve palsy, and that the claimant had disability due to her compensable injury from June 24, 2002, through January 27, 2003. The appellant (carrier) appeals the hearing officer's determinations that the compensable injury includes right cubital tunnel syndrome and that the claimant had disability from June 24, 2002, through January 27, 2003, contending that those determinations are against the great weight and preponderance of the evidence. The claimant responds, asserting that sufficient evidence supports the hearing officer's decision. There is no appeal of the hearing officer's determination that the compensable injury does not include complex regional pain syndrome or tardy ulnar palsy.

DECISION

Affirmed as reformed herein.

We reform the hearing officer's Finding of Fact No. 9, Conclusion of Law No. 5, and decision to reflect that the claimant had disability from June 24, 2002, through January 21, 2003 (not January 27, 2003). The claimant's treating doctor released the claimant to return to work on January 22, 2003, and the claimant testified that she returned to work on January 22, 2003, performing her preinjury job. The claimant contended that she had disability from June 24, 2002, until she returned to work on January 22, 2003. There is no indication in the record that disability continued to January 27, 2003, and the hearing officer noted in his decision that the claimant returned to work on January 22, 2003.

It is undisputed that the claimant sustained a compensable injury on \_\_\_\_\_. The claimant had the burden to prove the extent of her compensable injury and that she had disability as defined by Section 401.011(16). Conflicting evidence was presented on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. Although there is conflicting evidence in this case, we conclude that the hearing officer's determinations on the appealed issues, as reformed herein, are supported by sufficient evidence and are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

As reformed herein, we affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **TIG PREMIER INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**BOB KNOWLES  
5205 NORTH O'CONNOR BOULEVARD  
IRVING, TEXAS 75039.**

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Robert W. Potts  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge